

REMARKS

Applicant is in receipt of the Office Action mailed April 7, 2004. Claims 4, 35, 49, 61, 67, and 78 have been cancelled. Claims 1, 2, 5, 6, 17, 24, 29, 30, 32, 36, 44-47, 50, 51, 56, 62, 65, 68, 73, and 79 have been amended. Thus, claims 1-3, 5-34, 36-48, 50-60, 62-66, 68-77, and 79-81 remain pending in the case. Reconsideration of the present case is earnestly requested in light of the following remarks.

Amended claim 1 recites:

1. A computer-implemented method for programmatically modifying a graphical program, wherein the graphical program comprises a flow diagram comprising a plurality of interconnected nodes that visually indicate functionality of the graphical program, wherein the graphical program is executable to perform said functionality according to the flow diagram, the method comprising:

executing a graphical program generation (GPG) program;
the GPG program receiving information, wherein the information specifies desired functionality of the graphical program;
the GPG program programmatically modifying the graphical program in response to said information specifying the desired functionality of the graphical program, such that the graphical program implements the specified desired functionality.

In addition to the detailed arguments presented in the previous Response of January 22, 2004, which is hereby incorporated by reference, Applicant notes that neither Volk nor Gipalo discloses a *graphical program, wherein the graphical program comprises a flow diagram comprising a plurality of interconnected nodes that visually indicate functionality of the graphical program, wherein the graphical program is executable to perform the functionality according to the flow diagram* or *programmatic graphical programming (programmatically modifying a graphical program)* as defined in the present application. As discussed with the Examiner by telephone, the programmatic modification of a *pre-existing graphical program* is itself a novel and useful feature that

is not disclosed or described by either of the cited references, singly or in combination. The above-proposed amendments to the independent claims are intended to clarify this distinction.

Applicant respectfully submits that neither Volk nor Gipalo, either singly or in combination, teaches or suggests all of the features and limitations of the amended independent claims 1, 29, 30, 44-46, 56, 65, and 73 and so claims 1, 29, 30, 44-46, 56, 65, and 73, and those claims respectively dependent thereon, are patentably distinct and non-obvious over Volk and Gipalo, and are thus allowable for at least the reasons provided.

Applicant respectfully requests removal of the 103 rejection of claims 1-3, 5-34, 36-48, 50-60, 62-66, 68-77, and 79-81.

CONCLUSION

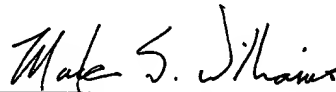
In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-52300/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Request for Continued Examination

Respectfully submitted,



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AGENT FOR APPLICANT(S)

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